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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,612	06/23/2003	Carrie Lilley McIntyre	9D-DW-19831	8945

7590 01/02/2008
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EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1792

MAIL DATE	DELIVERY MODE
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01/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/601,612

Applicant(s)

MCINTYRE ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 10-20 is/are allowed.
- 6) ☒ Claim(s) 1,3, 4 and 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matz (U. S. Pat. No. 6,138,693).

Re claims 1, Matz is cited disclosing system for dispensing a liquid, said system comprising (see fig. 5):

a reservoir (detergent container connected to 156, not shown) comprising an apertures disposed therein; and

at least one dispenser (150) in flow communication with said reservoir, said at least one dispenser comprising a first tube coupled with respect to a first aperture, said at least one dispenser further comprising a body (152) comprising a trough (154) and a cover (162) pivotably coupled to said body, said trough stationary with respect to said body and configured to dispense liquid when said cover is in an open position that differs from the claim only in the recitation of the plurality or aperture and second tube.

Nonetheless, absent any specific, function, to employ a plurality of apertures and second tube is deemed to be a mere duplication of the teachings of Matz. (see MPEP 2144.04 REVERSAL, DUPLICATION OR RE-ARRANGEMENT OF PARTS). Re claims 8 and 9, Matz discloses the agent and removable cartridge (90).

3. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matz in view of Hall et al. (U. S. Pat. No. 3,127,067).

Claims 3 and 4 define over Matz only in the recitation of the check valve. Hall discloses a dispenser for a washing system having a check valve (100). It therefore would have been obvious to one having ordinary skill in the art to modify the system of Matz, to include a check valve as taught by Hall, for the purpose of preventing any reverse flow of additive in case of any overpressure in the washer.

4. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matz in view of McNair (U. S. Pat. No. 5,396,914).

Claim 6 defines over Matz only in the recitation of the pressure generator. McNair discloses a dispenser for a washing system that includes a pressure generator or pump. It therefore would have been obvious to one having ordinary skill in the art to modify the system of Matz, to include a pressure generator and pump as taught by McNair, for the purpose of positively removing all of the material from the reservoir.

5. Claims 2 and ~~9-10~~ 20 stand allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1792